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# U.S. District Court District of Delaware (Wilmington) CIVIL DOCKET FOR CASE #: 1:04-cv-00171-GMS Internal Use Only

Glaxo Group Limited v. Teva Pharma USA Inc., et al

Assigned to: Judge Gregory M. Sleet

Demand: \$0

Cause: 35:271 Patent Infringement

**Plaintiff** 

**Glaxo Group Limited** 

Date Filed: 03/18/2004 Date Terminated: 02/21/2008 Jury Demand: None Nature of Suit: 830 Patent Jurisdiction: Federal Question

represented by Francis DiGiovanni

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V.

**Defendant** 

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### **Defendant**

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represented by Josy W. Ingersoll

(See above for address)

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John W. Shaw (See above for address) ATTORNEY TO BE NOTICED

# **Counter Claimant**

Teva Pharmaceuticals USA, Inc.

represented by Josy W. Ingersoll

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

V.

**Counter Defendant** 

**Glaxo Group Limited** 

represented by Francis DiGiovanni

(See above for address)

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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/18/2004	1	COMPLAINT filed. Magistrate Consent Notice to Pltf. FILING FEE \$ 150.00 RECEIPT # 135889 (els) (Entered: 03/19/2004)
03/18/2004		SUMMONS(ES) issued for Teva Pharma USA Inc., Teva Industries (els) (Entered: 03/19/2004)
03/18/2004	2	Report to Commissioner of Patents and Trademarks. Exit original. RE: 5,068,249 (els) (Entered: 03/19/2004)

02/22/2005	39	Letter dated 2/22/05 to Judge Jordan from Francis DiGiovanni regarding Discovery Dispute. (SEALED) (rwc, ) (Entered: 02/23/2005)
02/24/2005	40	Letter dated 2/24/05 to Judge Jordan from Kevin M. Baird, Esq., in response to re 39 Letter regarding Discovery Dispute (SEALED)(rwc, ) (Entered: 02/24/2005)
02/25/2005		Minute Entry for proceedings held before Judge Kent A. Jordan: Telephone Conference Re: Discovery dispute held on 2/25/2005. (Court Reporter B. Gaffigan.) (rwc, ) (Entered: 02/28/2005)
02/28/2005	41	STENO NOTES for 2/25/05 filed by Court Reporter: B. Gaffigan. (Notes on file in Clerk's Office) (rwc, ) (Entered: 02/28/2005)
03/01/2005	42	TRANSCRIPT of telephone conference held on 2/25/05 before Judge Jordan. Court Reporter: B. Gaffigan. (Transcript on file in Clerk's Office) (rwc, ) (Entered: 03/01/2005)
03/24/2005	43	TRANSCRIPT of teleconference held on 7/27/04 before Judge Jordan. Court Reporter: B. Gaffigan. (Transcript on file in Clerk's Office) (rwc, ) (Entered: 03/28/2005)
03/31/2005		Minute Entry for proceedings held before Judge Kent A. Jordan: Technology Tutorial held on 3/31/2005. (Court Reporter Brian Gaffigan.) (ntl, ) (Entered: 03/31/2005)
04/01/2005	44	TRANSCRIPT of technology tutorial held on 3/31/05 before Judge Jordan. Court Reporter: Brian Gaffigan. (Transcript on file in Clerk's Office) (ntl, ) (Entered: 04/01/2005)
04/04/2005	45	STENO NOTES for 3/31/05 filed by Court Reporter: B. Gaffigan. (Notes on file in Clerk's Office) (rwc, ) (Entered: 04/04/2005)
04/08/2005	46	NOTICE OF SERVICE of Plaintiff's Second Set of Interrogatories (10-13) to Defendant Teva Pharma USA, Inc; and Plaintiff's First Set of Requests for Admission (1-24) to Defendant Teva Pharma. USA, Inc. by Glaxo Group Limited, Glaxo Group Limited.(DiGiovanni, Francis) (Entered: 04/08/2005)
04/18/2005	<u>47</u>	NOTICE OF SERVICE of Plaintiff's Second Set of Interrogatories (10-13) to Defendant Teva Pharmaceuticals USA, Inc. and Plaintiff's First Set of Requests for Admissions (1-24) to Defendant Teva Pharmaceuticals USA, Inc. by Glaxo Group Limited, Glaxo Group Limited.(DiGiovanni, Francis) (Entered: 04/18/2005)
05/06/2005	48	NOTICE of Service of Document Requests to Plaintiff Glaxo Group Limited. by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD., Teva Pharmaceuticals USA, Inc. (Ingersoll, Josy) (Entered: 05/06/2005)
05/11/2005	49	NOTICE OF SERVICE of Plaintiff Glaxo Group Limited's Objections and Responses to Defendant Teva Pharmaceuticals USA, Inc.'s Document Requests by Glaxo Group Limited, Glaxo Group Limited.(Bilynsky, Oleh) (Entered: 05/11/2005)
05/17/2005	<u>50</u>	NOTICE of Service of Defendants Response to Plaintiff's Second Set of Interrogatories (10-13) and Defendants Answer to Plaintiff's First Set of Requests for Admission (1-24) by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD., Teva Pharmaceuticals USA, Inc. re 46 Notice of Service, (Ingersoll, Josy) (Entered: 05/17/2005)
05/18/2005	51	SUMMONS Returned Executed as to Teva Pharmaceutical Industries Limited on December 29, 2004 (Attachments: # 1 Affidavit Certificate in conformity with article 6 of The Hague Convention# 2 Exhibit Form USM-94 Request for Service Abroad of Judicial or Extrajudicial Documents# 3 Exhibit Form USM-94 Summary of the Document to be Served# 4 Exhibit Complaint for Patent Infringement# 5 Civil Cover Sheet Civil Cover Sheet)(Gottesman, Brian) Modified on 5/18/2005 (rwc, ). (Entered: 05/18/2005)
06/13/2005	<u>52</u>	ORDER, Setting Discovery Teleconference for 6/30/2005 11:30 AM before Honorable Kent A. Jordan. Signed by Judge Kent A. Jordan on 6/13/05. (rwc, ) (Entered: 06/13/2005)
06/28/2005	<u>53</u>	SEALED LETTER to Honorable Kent A. Jordon from Francis DiGiovanni regarding Discovery Issues. (Attachments: # 1 Exhibit 1# 2 Exhibit 2# 3 Exhibit 3# 4 Exhibit 4# 5 Exhibit 5# 6 Exhibit 6# 7 Exhibit 7)(DiGiovanni, Francis) Modified on 6/28/2005 (rwc, ). (Entered: 06/28/2005)
06/28/2005	<u>54</u>	SEALED LETTER to The Honorable Kent A. Jordan from Karen E. Keller regarding discovery issue. (Keller, Karen) Modified on 6/28/2005 (rwc, ). (Entered: 06/28/2005)
06/29/2005	<u>55</u>	Letter to The Honorable Kent A. Jordan from Karen E. Keller regarding discovery issue [FILED UNDER SEAL]. (Keller, Karen) (Entered: 06/29/2005)

06/30/2005		Minute Entry for proceedings held before Judge Kent A. Jordan: Discovery Teleconference held on 6/30/2005. (Court Reporter B. Gaffigan.) (rwc, ) (Entered: 06/30/2005)
06/30/2005	56	STENO NOTES for 6/30/05 filed by Court Reporter: B. Gaffigan. (Notes on file in Clerk's Office) (rwc, ) (Entered: 06/30/2005)
06/30/2005	57	TRANSCRIPT of teleconference held on 6/30/05 before Judge Jordan. Court Reporter: B. Gaffigan. (Transcript on file in Clerk's Office) (rwc, ) (Entered: 06/30/2005)
07/06/2005	<u>58</u>	Letter to REDACTED VERSION DI 53 To: Honorable Kent A. Jordan from Francis DiGiovanni regarding Discovery Issues. (Attachments: # 1 Exhibit 1# 2 Exhibit 2# 3 Exhibit 3# 4 Exhibit 4# 5 Exhibit 5# 6 Exhibit 6# 7 Exhibit 7)(DiGiovanni, Francis) (Entered: 07/06/2005)
07/27/2005	<u>59</u>	ORDER, Telephone Status Conference reset for 10/7/2005 04:30 PM before Honorable Kent A. Jordan. Signed by Judge Kent A. Jordan on 7/27/05. (ntl, ) (Entered: 07/27/2005)
07/29/2005	<u>60</u>	Consent MOTION for Issuance of Letters Rogatory to the Canadian Judicial Authority of Quebec - filed by Glaxo Group Limited. (Attachments: # 1 Exhibit 1# 2 Exhibit A# 3 Exhibit B# 4 Exhibit C) (DiGiovanni, Francis) (Entered: 07/29/2005)
07/29/2005	<u>61</u>	Letter to Honorable Kent A. Jordon from Francis DiGiovanni regarding Additional Copies of Exhibit 1 to D.I. 60. (DiGiovanni, Francis) (Entered: 07/29/2005)
08/01/2005	<u>62</u>	REVISED MOTION for Issuance of Letters Rogatory <i>Request for International Judicial Assistance</i> - filed by Glaxo Group Limited. (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C)(DiGiovanni, Francis) Modified on 8/1/2005 (rwc, ). (Entered: 08/01/2005)
08/02/2005		SO ORDERED, re 62 MOTION for Issuance of Letters Rogatory <i>Request for International Judicial Assistance</i> filed by Glaxo Group Limited, . Signed by Judge Kent A. Jordan on 8/2/05. (rwc, ) (Entered: 08/02/2005)
09/14/2005	<u>63</u>	ORDER, resetting Status Teleconference for 10/7/2005 09:30 AM before Honorable Kent A. Jordan. Signed by Judge Kent A. Jordan on 9/14/05. (rwc, ) (Entered: 09/14/2005)
09/21/2005	<u>64</u>	SEALED Letter to The Honorable Kent A. Jordan from Francis DiGiovanni regarding Status Letter. (DiGiovanni, Francis) Modified on 9/22/2005 (rwc, ). (Entered: 09/21/2005)
09/21/2005	<u>65</u>	Letter to The Honorable Kent A. Jordan from Josy W. Ingersoll regarding The status of discovery. (Ingersoll, Josy) (Entered: 09/21/2005)
09/28/2005	<u>66</u>	NOTICE OF SERVICE of Notice of Deposition of Subrata Mazumder and Notice of Deposition of Real Duteau by Glaxo Group Limited, Glaxo Group Limited.(DiGiovanni, Francis) (Entered: 09/28/2005)
09/28/2005	<u>67</u>	NOTICE OF SERVICE of Notice of Deposition of Annette Mattiuz and Notice of 30(b)(6) Deposition by Glaxo Group Limited, Glaxo Group Limited.(DiGiovanni, Francis) (Entered: 09/28/2005)
09/28/2005	<u>68</u>	NOTICE OF SERVICE of Supplemental Initial Disclosures by Glaxo Group Limited, Glaxo Group Limited.(DiGiovanni, Francis) (Entered: 09/28/2005)
09/28/2005	<u>69</u>	REDACTED VERSION of Letter to Judge Jordan from Francis DiGiovanni regarding Status Report by Glaxo Group Limited, Glaxo Group Limited. (Attachments: # 1 Telephone Conference Transcript# 2 Letter to J. Berns from T. Puppa# 3 Letter to M. Schuman from B. Murphy# 4 Letter to J. Berns from T. Puppa# 5 Letter to J. Berns from T. Puppa# 6 Letter to J. Berns from T. Puppa# 7 Under Seal# 8 Letter to J. Berns from T. Puppa# 9 Proposed Stipulation to Modify Scheduling Order)(DiGiovanni, Francis) (Entered: 09/28/2005)
10/07/2005	70	STENO NOTES for 10/7/05 filed by Court Reporter: B. Gaffigan. (Notes on file in Clerk's Office) (rwc, ) (Entered: 10/07/2005)
10/07/2005		Minute Entry for proceedings held before Judge Kent A. Jordan : Discovery Teleconference held on 10/7/2005. (Court Reporter B. Gaffigan.) (rwc, ) (Entered: 10/07/2005)
10/12/2005	71	TRANSCRIPT of teleconference held on 10/7/06 before Judge Jordan. Court Reporter: B. Gaffigan. (Transcript on file in Clerk's Office) (rwc, ) (Entered: 10/12/2005)
11/14/2005	72	NOTICE OF SERVICE of Plaintiff's Second Set of Requests for the Production of Documents and Things to Teva Pharmaceutical Industries Limited by Glaxo Group Limited.(DiGiovanni, Francis) (Entered: 11/14/2005)

		H. Kibbe by Glaxo Group Limited.(DiGiovanni, Francis) (Entered: 05/11/2006)
05/12/2006		SO ORDERED, re <u>87</u> Stipulation filed by Teva Pharmaceuticals USA, Inc., Glaxo Group Limited, Teva Pharmaceuticals Industries, LTD. Signed by Judge Kent A. Jordan on 5/12/06. (rwc, ) (Entered: 05/12/2006)
05/12/2006	<u>90</u>	NOTICE OF SERVICE of Plaintiff Glaxo Group Limited's Amended Notice of Deposition of Professor Arthur H. Kibbe by Glaxo Group Limited.(DiGiovanni, Francis) (Entered: 05/12/2006)
05/16/2006	91	NOTICE OF SERVICE of Notice of Deposition of Bradley D. Anderson, Ph.D. by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD(Ingersoll, Josy) (Entered: 05/16/2006)
05/22/2006	<u>92</u>	SECOND AMENDED SCHEDULING ORDER: Dispositive Motions due by 7/28/2006. Claims Construction due by 6/30/2006. Markman Hearing set for 9/7/2006 02:00 PM in Courtroom 6A before Honorable Kent A. Jordan. Pretrial Conference set for 2/5/2007 04:00 PM before Honorable Kent A. Jordan. Bench Trial (10-days) set for 3/5/2007 09:30 PM in Courtroom 6A before Honorable Kent A. Jordan. Signed by Judge Kent A. Jordan on 5/22/06. (rwc, ) (Entered: 05/22/2006)
05/31/2006	93	NOTICE OF SERVICE of (1) Teva Israel's Response to Plaintiff's Interrogatory No. 9 and (2) Teva USA's Response to Plaintiff's Third Set of Interrogatories (Nos. 14? 19) and Supplemental Response to Plaintiff's First Set of Interrogatories re 85 Notice of Service, 31 Certificate of Service by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD Related document: 85 Notice of Service, filed by Glaxo Group Limited,, 31 Certificate of Service filed by Glaxo Group Limited,. (Ingersoll, Josy) (Entered: 05/31/2006)
06/13/2006	94	ORDER Setting Mediation Conferences: Mediation Conference set for 9/19/2006 09:00 AM in Courtroom 6C before Honorable Mary Pat Thynge. Signed by Judge Mary Pat Thynge on 6/13/2006. (cab, ) (Entered: 06/13/2006)
06/30/2006	<u>95</u>	SEALED OPENING BRIEF in Support of its Motion Pursuant to Fed. R. Civ. P. 56 for Summary Judgment of Patent Infringement filed by Glaxo Group Limited, Glaxo Group Limited. Answering Brief/Response due date per Local Rules is 7/17/2006. (Heisman, James) - Modified on 9/6/2006 (rwc, ). Modified on 9/6/2006 (rwc, ). (Entered: 06/30/2006)
06/30/2006	<u>96</u>	SEALED OPENING BRIEF in Support of Summary Judgment Dismissing Defendants' Affirmative Defenses and Corresponding Counterclaim Alleging Inequitable Conduct During the Prosecution of U.S. Patent No. 5,068,249 filed by Glaxo Group Limited - (Heisman, James) . Modified on 9/6/2006 (rwc, ). (Entered: 06/30/2006)
06/30/2006	<u>97</u>	SEALED CLAIM CONSTRUCTION OPENING BRIEF Construing the Disputed Claim Terms of Glaxo's U.S. Patent No. 5,068,249 filed by Glaxo Group Limited, Glaxo Group Limited. (Heisman, James) (Entered: 06/30/2006)
06/30/2006	98	SEALED DECLARATION re <u>97</u> Claim Construction Opening Brief <i>Of Bradley D. Anderson Ph.D.</i> , <i>In Support of Glaxo Group Limited's Opening Claim Construction Brief on U.S. Patent No.</i> 5,068,249 by Glaxo Group Limited, Glaxo Group Limited. (Heisman, James) (Entered: 06/30/2006)
06/30/2006	99	SEALED DECLARATION re <u>95</u> Opening Brief in Support,, <u>96</u> Opening Brief in Support,, <u>97</u> Claim Construction Opening Brief of Oren D. Langer, Esq., in Support of Plaintiff Glaxo Group Limited's Opening Claim Construction Brief and Summary Judgment Motions on U.S. Patent 5,068,249 (Part 1 of 2) by Glaxo Group Limited, Glaxo Group Limited. (Heisman, James) (Entered: 06/30/2006)
06/30/2006	100	SEALED DECLARATION re <u>95</u> Opening Brief in Support,, <u>98</u> Declaration,, <u>96</u> Opening Brief in Support,, <u>97</u> Claim Construction Opening Brief, <u>99</u> Declaration, of Oren D. Langer, Esq., in Support of Plaintiff Glaxo Group Limited's Opening Claim Construction Brief and Summary Judgment Motions on U.S. Patent No. 5,068,249 (Part 2 of 2) by Glaxo Group Limited, Glaxo Group Limited. (Heisman, James) (Entered: 06/30/2006)
06/30/2006	<u>101</u>	SEALED CLAIM CONSTRUCTION OPENING BRIEF filed by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD (Poff, Adam) (Entered: 06/30/2006)
06/30/2006	<u>102</u>	SEALED APPENDIX re <u>101</u> Claim Construction Opening Brief by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD (Poff, Adam) (Entered: 06/30/2006)
06/30/2006	<u>103</u>	MOTION for Summary Judgment <i>of Non-Infringement</i> - filed by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD (Attachments: # 1 Text of Proposed Order)(Poff, Adam) (Entered: 06/30/2006)

06/30/2006	104	SEALED OPENING BRIEF in Support re 103 MOTION for Summary Judgment <i>of Non-Infringement</i> filed by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTDAnswering Brief/Response due date per Local Rules is 7/17/2006. (Poff, Adam) (Entered: 06/30/2006)
06/30/2006	105	SEALED APPENDIX re 104 Opening Brief in Support, of Motion for Summary Judgment of Non-Infringement by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD (Poff, Adam) (Entered: 06/30/2006)
06/30/2006	106	CLAIM Construction Chart (Volume I) by Glaxo Group Limited, Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD (Heisman, James) Modified on 7/11/2006 (rwc, ). (Entered: 06/30/2006)
06/30/2006	107	CLAIM Construction Chart (Volume II) by Glaxo Group Limited, Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD (Attachments: # 1 Exhibit 1# 2 Exhibit 2 part 1# 3 Exhibit Exhibit 2 part 2# 4 Exhibit 3 part 1# 5 Exhibit Exhibit 3 part 2# 6 Exhibit 3 part 3# 7 Exhibit Exhibit 3 part 4)(Heisman, James) Modified on 7/11/2006 (rwc, ). (Entered: 06/30/2006)
06/30/2006		MOTION for Summary Judgment of Patent Infringement filed by Glaxo Group Limited. (see <u>95</u> Opening Brief) (rwc, ) (Entered: 09/06/2006)
06/30/2006		MOTION for Summary Judgment Dismissing Defendant's Affirmative Defenses and Corresponding Counterclaim Alleging Inequitable Conduct During the Prosecution of U.S. Patent No. 5,068,249 - filed by Glaxo Group Limited. (see 96 Opening Brief) .(rwc, ) Modified on 9/6/2006 (rwc, ). (Entered: 09/06/2006)
07/10/2006	108	REDACTED VERSION of 101 Claim Construction Opening Brief by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD (Poff, Adam) (Entered: 07/10/2006)
07/10/2006	109	REDACTED VERSION of 102 Appendix Supporting Teva's Opening Brief on Claim Construction by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD (Attachments: # 1 Exhibit A to F)(Poff, Adam) (Entered: 07/10/2006)
07/10/2006	110	REDACTED VERSION of <u>104</u> Opening Brief in Support, <i>Motion for Summary Judgment of Non-Infringement</i> by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD (Poff, Adam) (Entered: 07/10/2006)
07/10/2006	111	REDACTED VERSION of 105 Appendix Supporting Teva's Motion for Summary Judgment of Non-Infringement by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD (Attachments: # 1 Exhibit 1 to 14)(Poff, Adam) (Entered: 07/10/2006)
07/10/2006	112	REDACTED VERSION of 95 Opening Brief in Support, <i>Motion Pursuant to Fed. R. Civ. P. 56 For Summary Judgment of Patent Infringement</i> by Glaxo Group Limited. (DiGiovanni, Francis) (Entered: 07/10/2006)
07/10/2006	113	REDACTED VERSION of <u>96</u> Opening Brief in Support, <i>Motion for Summary Judgment Dismissing Defendants' Affirmative Defenses and Corresponding Counterclaim Alleging Inequitable Conduct During the Prosecution of U.S. Patent No. 5,068,249 by Glaxo Group Limited.</i> (DiGiovanni, Francis) (Entered: 07/10/2006)
07/10/2006	114	REDACTED VERSION of <u>97</u> Claim Construction Opening Brief <i>Construing the Disputed Claim Terms of Glaxo's U.S. Patent No. 5,068,249</i> by Glaxo Group Limited. (DiGiovanni, Francis) (Entered: 07/10/2006)
07/10/2006	115	REDACTED VERSION of <u>98</u> Declaration, of Bradley D. Anderson in Support of Glaxo's Opening Claim Construction Brief on U.S. Patent 5,068,249 by Glaxo Group Limited. (Attachments: # <u>1</u> Exhibit A-D)(DiGiovanni, Francis) (Entered: 07/10/2006)
07/10/2006	116	REDACTED VERSION of 99 Declaration, of Oren D. Langer in Support of Glaxo's Opening Claim Construction Brief and Summary Judgment Motions on U.S. Patent No. 5,068,249 by Glaxo Group Limited. (Attachments: # 1 Exhibit 1# 2 Exhibit 2# 3 Exhibit 3 part 1# 4 Exhibit 3 part 2# 5 Exhibit 3 part 3# 6 Exhibit 4# 7 Exhibit 5# 8 Exhibit 6# 9 Exhibit 7# 10 Exhibit 8 part 1# 11 Exhibit 9# 12 Exhibit 10 part 1# 13 Exhibit 10 part 2# 14 Exhibit 10 part 3# 15 Exhibit 11# 16 Exhibit 12# 17 Exhibit 13# 18 Errata 14# 19 Exhibit 15# 20 Exhibit 16 part 1# 21 Exhibit 16 part 2# 22 Exhibit 16 part 3# 23 Exhibit 16 part 4# 24 Exhibit 17# 25 Exhibit 18# 26 Exhibit 20# 27 Exhibit 21# 28 Exhibit 22# 29 Exhibit 23# 30 Exhibit 24# 31 Exhibit 25)(DiGiovanni, Francis) (Entered: 07/10/2006)
07/10/2006	117	REDACTED VERSION of 100 Declaration, of Oren D. Langer in Support of Glaxo's Opening Claim Construction Brief and Summary Judgment Motions on U.S. Patent No. 5,068,249 (Part 2) by Glaxo Group Limited. (Attachments: # 1 Exhibit 26# 2 Exhibit 27# 3 Exhibit 28# 4 Exhibit 29# 5 Exhibit

		30# <u>6</u> Exhibit 31# <u>7</u> Exhibit 32# <u>8</u> Exhibit 33# <u>9</u> Exhibit 34# <u>10</u> Exhibit 35# <u>11</u> Exhibit 36# <u>12</u> Exhibit 37# <u>13</u> Exhibit 38# <u>14</u> Exhibit 39# <u>15</u> Exhibit 40# <u>16</u> Exhibit 41# <u>17</u> Exhibit 42# <u>18</u> Exhibit 43# <u>19</u> Exhibit 44# <u>20</u> Exhibit 45# <u>21</u> Exhibit 46# <u>22</u> Exhibit 47# <u>23</u> Exhibit 48)(DiGiovanni, Francis) (Entered: 07/10/2006)
07/17/2006	118	ORDER, Markman Hearing reset for 9/8/2006 02:00 PM in Courtroom 6A before Honorable Kent A. Jordan. Signed by Judge Kent A. Jordan on 7/17/06. (rwc, ) (Entered: 07/17/2006)
07/26/2006	119	Letter to Honorable Kent A. Jordan from Francis DiGiovanni regarding Request for Teleconference to Address August 5, 2006 Statutory Deadline (FILED UNDER SEAL). (DiGiovanni, Francis) (Entered: 07/26/2006)
07/27/2006	120	STIPULATION to govern product launch by Glaxo Group Limited. (Heisman, James) (Entered: 07/27/2006)
07/27/2006	121	STENO NOTES for 7/27/06 filed by Court Reporter: B. Gaffigan. (Notes on file in Clerk's Office) (rwc, ) (Entered: 07/27/2006)
07/27/2006		SO ORDERED - re 120 Stipulation regarding distribution of Ranitidine Oral Solution USP, 15 mg/ml - filed by Glaxo Group Limited . Signed by Judge Kent A. Jordan on 7/27/06. (rwc, ) (Entered: 07/27/2006)
07/27/2006		Minute Entry for proceedings held before Judge Kent A. Jordan : Telephone Conference held on 7/27/2006. (Court Reporter B. Gaffigan.) (rwc, ) (Entered: 07/27/2006)
07/28/2006	122	SEALED CLAIM CONSTRUCTION ANSWERING BRIEF re 101 Claim Construction Opening Brief filed by Glaxo Group Limited. (DiGiovanni, Francis) (Entered: 07/28/2006)
07/28/2006	<u>123</u>	SEALED ANSWERING BRIEF in Opposition re 103 MOTION for Summary Judgment of Non-Infringement filed by Glaxo Group Limited.Reply Brief due date per Local Rules is 8/4/2006. (DiGiovanni, Francis) (Entered: 07/28/2006)
07/28/2006	<u>124</u>	SEALED DECLARATION re 123 Answering Brief in Opposition of Oren D. Langer by Glaxo Group Limited. (DiGiovanni, Francis) (Entered: 07/28/2006)
07/28/2006	125	SEALED ANSWERING BRIEF in Opposition to Glaxo's Motion for Summary Judgment Dismissing Teva's Affirmative Defenses and Corresponding Counterclaim Alleging Inequitable Conduct During the Prosecution of U.S. Patent No. 5,068,249 filed by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTDReply Brief due date per Local Rules is 8/4/2006. (Keller, Karen) (Entered: 07/28/2006)
07/28/2006	<u>126</u>	SEALED DECLARATION re 123 Answering Brief in Opposition of David R. Long, Ph.D by Glaxo Group Limited. (DiGiovanni, Francis) (Entered: 07/28/2006)
07/28/2006	127	SEALED APPENDIX re 125 Answering Brief in Opposition, Glaxo's Motion for Summary Judgment Dismissing Teva's Affirmative Defenses and Corresponding Counterclaim Alleging Inequitable Conduct During the Prosecution of U.S. Patent No. 5,068,249 by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD (Keller, Karen) (Entered: 07/28/2006)
07/28/2006	<u>128</u>	SEALED ANSWERING BRIEF in Opposition to Glaxo's Motion for Summary Judgment of Patent Infringement filed by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTDReply Brief due date per Local Rules is 8/4/2006. (Keller, Karen) (Entered: 07/28/2006)
07/28/2006	<u>129</u>	SEALED APPENDIX re 128 Answering Brief in Opposition, <i>Glaxo's Motion for Summary Judgment of Patent Infringement</i> by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD (Keller, Karen) (Entered: 07/28/2006)
07/28/2006	130	SEALED CLAIM CONSTRUCTION ANSWERING BRIEF re <u>97</u> Claim Construction Opening Brief filed by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD (Keller, Karen) (Entered: 07/28/2006)
07/28/2006	<u>131</u>	SEALED APPENDIX re 130 Claim Construction Answering Brief by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD (Keller, Karen) (Entered: 07/28/2006)
07/31/2006	132	TRANSCRIPT of teleconference held on 7/27/06 before Judge Jordan. Court Reporter: B. Gaffigan. (Transcript on file in Clerk's Office) (rwc, ) (Entered: 07/31/2006)
08/04/2006	<u>133</u>	REDACTED VERSION of 122 Claim Construction Answering Brief by Glaxo Group Limited. (DiGiovanni, Francis) (Entered: 08/04/2006)

08/04/2006	<u>134</u>	REDACTED VERSION of 123 Answering Brief in Opposition by Glaxo Group Limited. (Attachments: # 1 Exhibit A# 2 Exhibit B)(DiGiovanni, Francis) (Entered: 08/04/2006)
08/04/2006	<u>135</u>	REDACTED VERSION of 124 Declaration of Oren D. Langer by Glaxo Group Limited. (Attachments: # 1 Exhibit 1# 2 Exhibit 2# 3 Exhibit 3)(DiGiovanni, Francis) (Entered: 08/04/2006)
08/04/2006	<u>136</u>	REDACTED VERSION of 126 Declaration of David R. Long, Ph.D. by Glaxo Group Limited. (Attachments: # 1 Exhibit 1# 2 Exhibit 2# 3 Exhibit 3 part 1# 4 Exhibit 3 part 2# 5 Exhibit 3 part 3# 6 Exhibit 3 part 4# 7 Exhibit 3 part 5# 8 Exhibit 3 part 6# 9 Exhibit 3 part 7# 10 Exhibit 3 part 8) (DiGiovanni, Francis) (Entered: 08/04/2006)
08/04/2006	<u>137</u>	REDACTED VERSION of <u>130</u> Claim Construction Answering Brief by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD (Keller, Karen) (Entered: 08/04/2006)
08/04/2006	138	REDACTED VERSION of 125 Answering Brief in Opposition, to Glaxo's Motion for Summary Judgment Dismissing Teva's Affirmative Defenses and Corresponding Counterclaim Alleging Inequitable Conduct During the Prosecution of U.S. Patent No. 5,068,249 by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD (Keller, Karen) (Entered: 08/04/2006)
08/04/2006	139	REDACTED VERSION of 128 Answering Brief in Opposition, to Glaxo's Motion for Summary Judgment of Patent Infringement by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD (Keller, Karen) (Entered: 08/04/2006)
08/04/2006	140	REDACTED VERSION of 131 Appendix to Claim Construction Answering Brief by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD (Keller, Karen) (Entered: 08/04/2006)
08/04/2006	<u>141</u>	REDACTED VERSION of 127 Appendix, to Answering Brief in Opposition to Glaxo's Motion for Summary Judgment Dismissing Teva's Affirmative Defenses and Corresponding Counterclaim Alleging Inequitable Conduct During the Prosecution of U.S. Patent No. 5,068,249 by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD (Keller, Karen) (Entered: 08/04/2006)
08/04/2006	142	REDACTED VERSION of 129 Appendix to Answering Brief in Opposition to Glaxo's Motion for Summary Judgment of Patent Infringement by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD (Keller, Karen) (Entered: 08/04/2006)
08/15/2006	143	Letter to The Honorable Kent A. Jordan from Francis DiGiovanni regarding Stipulation and Order regarding the expiration of the 30-month stay of FDA approval. (Attachments: # 1 Exhibit A) (DiGiovanni, Francis) (Entered: 08/15/2006)
08/15/2006	<u>144</u>	SO-ORDERED Stipulation regarding sale and distribution of Ranitidine Oral Solution USP pending notice of FDA approval. Signed by Judge Kent A. Jordan on 8/15/06. (rwc, ) (Entered: 08/15/2006)
08/17/2006	<u>145</u>	MOTION for Pro Hac Vice Appearance of Attorney David Leichtman - filed by Glaxo Group Limited. (DiGiovanni, Francis) (Entered: 08/17/2006)
08/21/2006		SO ORDERED, re 145 MOTION for Pro Hac Vice Appearance of Attorney David Leichtman filed by Glaxo Group Limited . Signed by Judge Kent A. Jordan on 8/21/06. (ntl, ) (Entered: 08/21/2006)
08/22/2006	<u>146</u>	ORDER Mediation scheduled for 9/19/2006 at 9:00 AM is canceled. Counsel shall contact the Magistrate Judge should the parties desire court-assisted ADR. Signed by Judge Mary Pat Thynge on 8/22/2006. (cab, ) (Entered: 08/22/2006)
08/25/2006	147	REPLY BRIEF- (SEALED) in Support of Its Motion <u>96</u> for Summary Judgment Dismissing Defendants' Affirmative Defenses and Corresponding Counterclaim Alleging Inequitable Conduct During the Prosecution of U.S. Patent No. 5,068,249 filed by Glaxo Group Limited. (DiGiovanni, Francis) Modified on 8/25/2006 (rwc, ). (Entered: 08/25/2006)
08/25/2006	148	SEALED REPLY BRIEF in Support of Its Motion for Summary Judgment of Patent Infringement filed by Glaxo Group Limited. (DiGiovanni, Francis) (Entered: 08/25/2006)
08/25/2006	<u>149</u>	SEALED DECLARATION re <u>148</u> Reply Brief <i>of Oren D. Langer, Esq.</i> by Glaxo Group Limited. (DiGiovanni, Francis) (Entered: 08/25/2006)
08/25/2006	<u>150</u>	SEALED REPLY BRIEF re 103 MOTION for Summary Judgment <i>of Non-Infringement</i> filed by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD (Keller, Karen) (Entered: 08/25/2006)

08/25/2006	<u>151</u>	SEALED APPENDIX re <u>150</u> Reply Brief by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD (Keller, Karen) (Entered: 08/25/2006)
08/30/2006	<u>152</u>	Second STIPULATION Regarding Authenticity and Admissibility of Documents and Testimony by Glaxo Group Limited. (DiGiovanni, Francis) (Entered: 08/30/2006)
08/31/2006		SO ORDERED, re 152 Stipulation filed by Glaxo Group Limited . Signed by Judge Kent A. Jordan on 8/31/06. (ntl, ) (Entered: 08/31/2006)
09/01/2006	<u>153</u>	REDACTED VERSION of 148 Reply Brief Memorandum in Support of Its Motion Pursuant to Fed. R. Civ. P. 56 for Summary Judgment of Patent Infringement by Glaxo Group Limited, Glaxo Group Limited. (DiGiovanni, Francis) (Entered: 09/01/2006)
09/01/2006	<u>154</u>	REDACTED VERSION of 149 Declaration, 148 Reply Brief Second Supplemental Declaration of Oren D. Langer, Esq. in Support of Plaintiff Glaxo Group Limited's Reply Memorandum in Support of its Motion for Summary Judgment of Infringement by Glaxo Group Limited, Glaxo Group Limited. (Attachments: # 1 Exhibit 1 part 1# 2 Exhibit Exhibit 1 part 2# 3 Exhibit Exhibit 2 part 1# 4 Exhibit Exhibit 2 part 2# 5 Exhibit Exhibits 3-8# 6 Exhibit Exhibit 9# 7 Exhibit Exhibits 10-16) (DiGiovanni, Francis) (Entered: 09/01/2006)
09/01/2006	<u>155</u>	REDACTED VERSION of 147 Reply Brief, In Support of its Motion For Summary Judgment Dismissing Defendants' Affirmative Defenses and Corresponding Counterclaim Alleging Inequitable Conduct During the Prosecution of U.S. Patent No. 5,068,249 by Glaxo Group Limited, Glaxo Group Limited. (Attachments: # 1 Exhibit Exhibit A# 2 Exhibit Exhibit B)(DiGiovanni, Francis) (Entered: 09/01/2006)
09/06/2006		CORRECTING ENTRY: DI#'s 95 & 96 (Opening Briefs) were electronically filed without first filing a separate motion. The Docket Clerk added the motions and linked them back to DI#'s 95 and 96. This was necessary to establish the existence of two pending motions before the Court. (rwc, ) (Entered: 09/06/2006)
09/06/2006	<u>156</u>	REDACTED VERSION of <u>150</u> Reply Brief in Support of its MOTION for Summary Judgment of Non-Infringement by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD (Keller, Karen) (Entered: 09/06/2006)
09/06/2006	<u>157</u>	REDACTED VERSION of 151 Appendix Supporting Teva's Reply Brief on Motion for Summary Judgment by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD (Keller, Karen) (Entered: 09/06/2006)
09/08/2006	<u>158</u>	MOTION for Pro Hac Vice Appearance of Attorney Christopher J. Sorenson - filed by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD (Attachments: # 1 Pro Hac Vice Certification by Counsel# 2 Certificate of Service)(Pascale, Karen) (Entered: 09/08/2006)
09/08/2006	159	STENO NOTES for 9/6/06 filed by Court Reporter: B. Gaffigan. (Notes on file in Clerk's Office) (rwc, ) (Entered: 09/08/2006)
09/08/2006		Minute Entry for proceedings held before Judge Kent A. Jordan: Markman Hearing held on 9/8/2006. (Court Reporter B. Gaffigan.) (rwc, ) (Entered: 09/08/2006)
09/12/2006	160	TRANSCRIPT of Markman Hearing held on 9/8/06 before Judge Jordan. Court Reporter: B. Gaffigan. (Transcript on file in Clerk's Office) (rwc, ) (Entered: 09/13/2006)
09/13/2006		SO ORDERED, re 158 MOTION for Pro Hac Vice Appearance of Attorney Christopher J. Sorenson filed by Teva Pharmaceuticals USA, Inc.,, Teva Pharmaceuticals Industries, LTD. Signed by Judge Kent A. Jordan on 9/13/06. (rwc, ) (Entered: 09/13/2006)
12/01/2006	<u>161</u>	Letter to Judge Kent A. Jordan from Francis DiGiovanni regarding LR 7.1.2 (c) Citation of Subsequent Authority - re 96 Opening Brief in Support,. (Attachments: # 1 Exhibit A - Abraxis v. Mayne)(DiGiovanni, Francis) (Entered: 12/01/2006)
12/15/2006	162	[1:04-cv-171-***]: Please note that, in accordance with the attached standing order, this case has been designated as one to be assigned to the judge who fills the vacancy left by the elevation of Judge Kent A. Jordan to the United States Court of Appeals for the Third Circuit. Pending assignment, the case has been referred to Magistrate Judge Mary Pat Thynge for all pretrial proceedings, pursuant to 28 U.S.C. section 636(b). Please include ***, in place of the Judge's initials, after the case number on all documents filed. (ntl) (Entered: 12/15/2006)
12/19/2006	<u>163</u>	STIPULATION and Order extending the remaining pretrial and trial deadlines by 60 days by Teva Pharmaceuticals USA, Inc., Teva Pharmaceuticals Industries, LTD (Keller, Karen) (Entered: